IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 830 OF 2007
IN
CRIMINAL APPEAL NO. 681 OF 2007

Kundan Raju Patole ...Applicant
V/s.
The State of Maharashtra ...Respondent

Mr.Jaydeep D. Mane for the Applicant.
Mr.Y.S. Shinde, APP for State.

CORAM : V.M. KANADE, J.

DATED : AUGUST 14, 2007

P.C. :-

. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant is convicted by the trial Court for an offence punishable under Section 363 read with Sections 366 and 376 of the IPC. It is the case of the prosecution that the applicant had kidnapped the prosecutrix. On the other hand, it is the case of the applicant that both of them had decided to get married and therefore, she left the house of her parents. It is the case of the applicant that she was about 16 years of age, the trial Court did not accept this defence and

convicted him under the aforesaid provision and sentenced him to suffer three years R.I. The applicant was on bail during trial. It is an admitted position that the prosecutrix has turned hostile and did not support the prosecution case.

3. The applicant, under these circumstances, be released on bail in the sum of Rs.5000/- with one or two sureties in the like amount.

. Application is disposed of.

(V.M. KANADE, J.)